

EXHIBIT 8

**WACKER NEUSON'S ANSWERS TO
INTERROGATORIES**



Bridgewater Place | Post Office Box 352
Grand Rapids, Michigan 49501-0352
Telephone 616 / 336-6000 | Fax 616 / 336-7000 | www.varnumlaw.com

Jeffrey D. Koelzer

Direct 616 / 336-6488
jdkoelzer@varnumlaw.com

September 4, 2019

John M. Karafa
WILLIAMS HUGHES, PLLC
120 W. Apple Ave.
Muskegon, MI 49440

Via First Class Mail

Re: Wacker Neuson v Norton Shores

Dear John:

Enclosed please find Wacker Neuson's Answers to Norton Shores' First Interrogatories, Wacker Neuson's Answers to Norton Shores' First Requests for Production of Documents, along documents that have been bates labeled WN0011-WN0020.

Please note that this set of discovery responses has only been signed by Plaintiff/Counter-Defendant's counsel, and that we will forward you an executed signature page as soon as we receive the same from our client.

Please let me know if you have any questions about the foregoing.

Very truly yours,

VARNUM

A handwritten signature in black ink, appearing to read "Jeffrey D. Koelzer", written over the printed name.

Jeffrey D. Koelzer

JDK/sjm
Enclosures

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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WACKER NEUSON PRODUCTION
AMERICAS, LLC,

Plaintiff/Counter-Defendant,

v

CITY OF NORTON SHORES,

Defendant/Counter-Plaintiff.

Case No. 1:19-cv-00018-JTN-ESC

Hon. Janet T. Neff

VARNUM LLP
Adam J. Brody (P62035)
Jeffrey D. Koelzer (P78602)
Attorneys for Plaintiff/Counter-Defendant
333 Bridge St NW
PO Box 352
Grand Rapids, MI 49501-0352
(616) 336-6000
ajbrody@varnumlaw.com
jdkoelzer@varnumlaw.com

WILLIAMS HUGHES PLLC
Douglas M. Hughes (P30958)
Enrika L.F. McGahan (P55860)
John M. Karafa (P36007)
Attorneys for Defendant/Counter-Plaintiff
120 W. Apple Avenue
Muskegon, MI 49440
(231) 726-4857
doughughes@williamshugheslaw.com
johnkarafa@williamshugheslaw.com

**PLAINTIFF/COUNTER-DEFENDANT'S ANSWERS TO DEFENDANT/COUNTER-
PLAINTIFF'S FIRST INTERROGATORIES**

NOW COMES Plaintiff/Counter-Defendant, Wacker Neuson Production Americas, LLC ("Wacker Neuson"), by and through its attorneys Varnum LLP, and for its answers to Defendant/Counter-Plaintiff's First Interrogatories states as follows:

INTERROGATORIES TO PLAINTIFF WACKER NEUSON

INTERROGATORY 1: Identify each and every person by name, address, telephone or cell phone number, and employment title and address, who answered or assisted with answering any one or more of these interrogatories, and further identify each interrogatory, by reference to its number, that each named individual answered or assisted in answering.

ANSWER:

Ryan Gile, Chief Operating Officer of Wacker Neuson, c/o Varnum. Mr. Gile assisted in answering each of the below interrogatories.

INTERROGATORY 2: With regard to paragraphs 17 and 18 of your complaint (ECF No. 1) dated January 10, 2019, wherein you generally allege that the term *"applicant" in the "Act 198 Agreement"* describes some person or entity other than Plaintiff Wacker, and more particularly as to your allegation in paragraph 18 that the *"Agreement requires the 'applicant,' but not the 'Company,' to remain in the City for the duration of the abatement period"*, state with particularity:

- a. The identification of each individual whose information you relied upon in any way to make the assertion in your complaint that the term "applicant" does not describe Plaintiff Wacker, and for each identified individual state his/her complete name, address, occupation, and telephone/cell number.
- b. How the information supporting your allegation in paragraph 18 of your complaint was communicated to you from each of the individuals disclosed in response to the preceding sub-part (a), for example, in person, by phone, by written document, etc.
- c. The identification by title, date, and author of each and every document whose content you relied upon in support of your allegation in paragraph 18 of your complaint that the *"Agreement requires the 'applicant,' but not the 'Company,' to remain in the City for the duration of the abatement period"*.

ANSWER:

Wacker Neuson objects to this interrogatory to the extent that it calls for a legal conclusion. Subject to and without waiving the foregoing objection, Wacker Neuson states that its interpretation of the Agreement is based on a plain reading of the terms of the Agreement. Paragraph 6 of the Agreement provides that: "The applicant shall remain with the local unit during the period of time for which the abatement has been approved[.] Plaintiff is specifically referred to in the Agreement via the defined term "The Company." The Agreement required "the applicant," as opposed to "The Company," to "remain with the local unit." While Plaintiff was "the applicant" at the time it entered into the Act 198 Agreement, Plaintiff ceased being "the applicant" within the meaning of the Agreement when the IFEC was transferred to TGW Systems, Inc. ("TGW"), which then replaced Plaintiff as "the applicant."

This interpretation is supported by records maintained by the State of Michigan, which show TGW listed as the "applicant" for Certificate #2008-038. See WN0010, containing Industrial Facilities Application/Certificate Search result from the Michigan Department of Treasury Website.

INTERROGATORY 3: With regard to paragraphs 23 of your complaint (ECF No. 1) dated January 10, 2019, wherein you allege that *"After several additional investments in the City ...it became clear to Wacker Neuson that the facility was not economically sustainable"*, state with particularity:

- a. **The identification of each individual whose information you relied upon to assert that *"the facility was not economically sustainable"*, and for each identified individual state his/her complete name, address, occupation, and telephone/cell number.**
- b. **The identification of all facts, factors, and circumstances relied upon in support of your assertion that *"the facility was not economically sustainable"*,**

- c. The identification by title, date, and author of each and every document whose content you relied upon in support of your assertion that *"the facility was not economically sustainable"*.

ANSWER:

a. **Ryan Gile.**

b. **Wacker Neuson does not keep separate financial statements for individual facilities such as the Norton Shores facility. However, Wacker Neuson began running a net loss in North America around 2016, as reflected on financial statements for Wacker Neuson Production Americas, LLC, produced herewith.**

The Norton Shores facility produced light towers and heaters used in the oil and gas industry for fracking operations in colder climates with seasonal daylight fluctuations. Over the last five years, the fracking industry has diminished, decreasing the demand for the products that the Norton Shores facility had been producing to service the fracking industry in these regions of the world. As a result, the Norton Shores facility's production capacity was excessive and not profitable relative to the overhead of operating the facility.

c. **Wacker Neuson produces herewith an income statement trend from 2013 – 2018 which shows the operating losses starting in 2016 and continuing into 2018, as well as signed audited financials from 2016 – 2018.**

INTERROGATORY 4: With regard to the *"Industrial Facilities Tax (IFT) exemption certificate (Certificate #2008-038, the "Certificate") to Wacker Neuson"* referenced in paragraphs 10-12 of your complaint (ECF No. 1) dated January 10, 2019, state with particularity:

- a. **Each date that you submitted an application to the City of Norton Shores for the granting of an Industrial Facilities Exemption Certificate (IFE) pursuant to P.A. 198.**
- b. **Whether your application(s) to the City of Norton Shores for the granting of an Industrial Facilities Exemption Certificate (IFE) pursuant to P.A. 198 was in writing.**
- c. **If your application(s) to the City of Norton Shores for the granting of an Industrial Facilities Exemption Certificate (IFE) pursuant to P.A. 198 was/were in writing, identify each document supporting your application by title, date, and author.**

ANSWER:

- a. **Wacker Neuson submitted an application some time prior to May 12, 2008. The Certificate was issued on May 12, 2008.**
- b. **Upon information and belief, the application was submitted in writing.**
- c. **Wacker Neuson believes the applications were in writing. However, after conducting a reasonable search, Wacker Neuson is not aware of any responsive documents in its possession, custody, or control, and is therefore unable to identify the documents as requested. In further response, responsive documents are likely in the possession of the City of Norton Shores.**

INTERROGATORY 5: With regard to the "Agreement" referenced in paragraphs 12-19 of your complaint (ECF No. 1) dated January 10, 2019, state with particularity:

- a. **The identification of each party to the referenced "Agreement". Each date that you submitted an application to the City of Norton Shores for the granting of an Industrial Facilities Exemption Certificate (IFE) pursuant to P.A. 198.**
- b. **The identification of each person who executed the "Agreement" on your behalf, and for each identified individual state his/her complete name, address, occupation, and telephone/cell number.**
- c. **The date(s) you entered into the "Agreement".**
- d. **The identification of each and every document comprising the "Agreement" by title, date, and author.**

ANSWER:

Wacker Neuson objects to this interrogatory to the extent it calls for a legal conclusion. Subject to and without waiving the foregoing objection, Wacker Neuson states as follows:

- a. **Wacker Neuson Production Americas, LLC; the City of Norton Shores, Michigan.**
- b. **Lawrence O'Toole, Chief Financial Officer of Wacker Neuson Corp, Managing Member of Wacker Neuson Production Americas, LLC; c/o Varnum.**
- c. **Upon information and belief, Wacker Neuson entered into the Agreement on or around May 12, 2008, when the Certificate was issued. Mr. O'Toole's signature on the Agreement is dated January 18, 2011.**

- d. **Industrial Facilities Exemption Certificate New Certificate No. 2008-032, dated May 12, 2008, signed by Kelli Sobel, Executive Secretary State Tax Commission.**

Act 198 Agreement with the City of Norton Shores, dated 2008, signed January 18, 2011 and February 9, 2011, between Wacker Neuson and City of Norton Shores.

INTERROGATORY 6: With regard to paragraph 14 of your complaint (ECF No. 1) dated January 10, 2019, alleging in part that *"the Agreement granted certain tax savings to Wacker Neuson, and it included a provision that, if the City were to lose out on the economic benefit of operation of the facility at the property, then the City could recapture those tax savings"*, state with particularity:

- a. The identification of the entirety of the *"provision"* referenced in your allegation as being *"included"* in the *"Agreement"* by stating verbatim its precise content.
- b. The identification of each *"Agreement"* which *"included"* the *"provision"* by detailing the date of the *"Agreement"*, the parties to the *"Agreement"*, and the persons executing the *"Agreement"* on behalf of the identified parties.
- c. If not already disclosed in response to the preceding sub-parts, Interrogatory 6 (a) and (b), then state further the identification by title, date, and author of any other documents you relied upon in support of your allegation in paragraphs 14 of your complaint that the *"Agreement ... included a provision that, if the City were to lose out on the economic benefit of operation of the facility at the property, then the City could recapture those tax savings"*.

ANSWER:

- a. **See Paragraph 6 of the Act 198 Agreement.**
- b. **See responses to Interrogatory No. 5.**
- c. **None.**

INTERROGATORY 7: With regard to your application(s) for an *"Industrial Facilities Tax (IFT) exemption certificate (Certificate #2008-038, the "Certificate")"* as referenced in paragraphs 10-12 of your complaint (ECF No. 1) dated January 10, 2019, state with particularity:

- a. The date the first *"Industrial Facilities Tax (IFT) exemption certificate"* was issued to you.

- b. The date of each subsequent issuance to you of an *"Industrial Facilities Tax ('IFT') exemption certificate"*.

ANSWER:

- a. **May 12, 2008**
- b. **April 26, 2010; September 20, 2010; April 21, 2011; April 17, 2012; August 26, 2014**

INTERROGATORY 8: With regard to the amount of \$951,346.94 stated in Defendant City's invoice to you as referenced in paragraph 30 of your complaint (ECF No. 1) dated January 10, 2019, and referenced as well in paragraph 32 of Defendant City's Counter-Claim, state whether you agree that \$951,346.94 is an accurate calculation of the property taxes you would have paid over the years covered by the Industrial Facilities Exemption Certificate ("IFEC") had the IFEC not been issued. (Answer "Yes" or "No").

ANSWER:

Wacker Neuson lacks sufficient information to determine whether this number is an accurate calculation of the property taxes that it allegedly "would have paid over the years covered" by the IFEC, and therefore Wacker Neuson does not agree with this proposition at this time.

INTERROGATORY 9: If your answer to the preceding interrogatory #8 regarding the calculation of property taxes saved in the amount of \$951,346.94 was anything but an unequivocal "Yes", then state with particularity:

- a. The dollar amount of property taxes you would have paid over the years covered by the Industrial Facilities Exemption Certificate ("IFEC") had the IFEC not been issued in your favor.
- b. The identification of each individual whose information you relied upon in any way in support of your statement of the dollar amount of property taxes you would have paid over the years covered by the Industrial Facilities Exemption

Certificate ("IFEC") had the IFEC not been issued in your favor, as stated in response to the preceding Interrogatory #9(a), and for each identified individual state his/her complete name, address, occupation, and telephone/cell number.

- c. The identification, by title, date, and author(s), of each and every document containing information supporting your statement as to dollar amount of property taxes you would have paid over the years covered by the Industrial Facilities Exemption Certificate ("IFEC") had the IFEC not been issued in your favor, as stated in your response to the preceding Interrogatory #9(a).

ANSWER:

See Answer to Interrogatory No. 9 above.

INTERROGATORY 10: With regard to your Count II of your complaint, asserting Breach of Contract against Defendant City, more particularly paragraphs 48-50, state with particularity:

- a. The facts supporting your assertion that Defendant City breached the Agreement with you.
- b. The damages you claim as a result of the Defendant City's alleged breach of the Agreement, and if monetary, state the monetary relief you claim you are entitled to.
- c. The identification by title, date, and author of each and every document whose content you relied upon in support of your claims that Defendant City breached the Agreement with you and caused you damages.

ANSWER:

- a. **Defendant breached the Agreement by attempting to collect taxes from Wacker Neuson even though "the applicant" remained at the facility (as required by paragraph 6 of the Agreement), thereby purporting to deny Wacker Neuson the benefits of the IFEC that it was entitled to receive pursuant to the Agreement. Defendant also breached the Agreement by pursuing repayment of allegedly owed taxes prior to affording Wacker Neuson a public hearing.**
- b. **To the extent Defendant continues to claim that Wacker Neuson owes a debt to Defendant, Wacker Neuson has been damaged in the amount of the alleged debt, which Defendant has stated to be \$951,346.94.**

Wacker Neuson has also suffered damages by incurring the cost of responding to Defendant's breach of the Agreement, including court costs and attorney fees, which continue to accrue.

- c. **Industrial Facilities Exemption Certificate New Certificate No. 2008-032, dated May 12, 2008, signed by Kelli Sobel, Executive Secretary State Tax Commission.**

Act 198 Agreement with the City of Norton Shores, dated 2008, signed January 18, 2011 and February 9, 2011, between Wacker Neuson and City of Norton Shores.

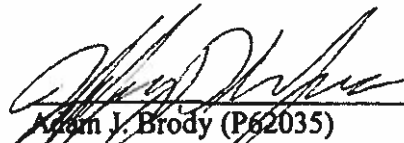
All invoices and correspondences between City of Norton Shores and Wacker Neuson related to the attempted "claw back" of abated taxes.

VARNUM LLP

Attorneys for Plaintiff/Counter-Defendant

Dated: September 4, 2019

By:


Adam J. Brody (P62035)
Jeffrey D. Koelzer (P78602)
BUSINESS ADDRESS & TELEPHONE:
Bridgewater Place
P.O. Box 352
Grand Rapids, MI 49501-0352
(616) 336-6000
ajbrody@varnumlaw.com
jdkoelzer@varnumlaw.com

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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WACKER NEUSON PRODUCTION
AMERICAS, LLC,

Plaintiff/Counter-Defendant,

v

CITY OF NORTON SHORES,

Defendant/Counter-Plaintiff.

Case No. 1:19-cv-00018-JTN-ESC

Hon. Janet T. Neff

VARNUM LLP
Adam J. Brody (P62035)
Jeffrey D. Koelzer (P78602)
Attorneys for Plaintiff/Counter-Defendant
333 Bridge St NW
PO Box 352
Grand Rapids, MI 49501-0352
(616) 336-6000
aibrody@varnumlaw.com
jdkoelzer@varnumlaw.com

WILLIAMS HUGHES PLLC
Douglas M. Hughes (P30958)
Enrika L.F. McGahan (P55860)
John M. Karafa (P36007)
Attorneys for Defendant/Counter-Plaintiff
120 W. Apple Avenue
Muskegon, MI 49440
(231) 726-4857
doughughes@williamshugheslaw.com
johnkarafa@williamshugheslaw.com

**PLAINTIFF/COUNTER-DEFENDANT'S ANSWERS TO DEFENDANT/COUNTER-
PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

NOW COMES Plaintiff/Counter-Defendant, Wacker Neuson Production Americas, LLC ("Wacker Neuson"), by and through its attorneys, Varnum LLP, and responds as follows to Defendant/Counter-Plaintiff's First Request for Production of Documents:

DOCUMENTS AND THINGS REQUESTED

Request To Produce #1: Produce by delivery to or inspection and copying by Defendant City all documents relating to your allegation in paragraph 18 of your complaint that the *"Agreement requires the 'applicant,' but not the 'Company,' to remain in the City for the duration of the abatement period"*. See your response to Interrogatory 2c).

RESPONSE:

Wacker Neuson objects to this request, to the extent it calls on Wacker Neuson to make a legal conclusion. Subject to and without waiving the foregoing objection, Wacker Neuson directs Defendant to the Act 198 Agreement between the parties, which is already in Defendant's possession. By way of further response, Wacker Neuson directs Defendant to the Industrial Facilities Application/Certificate Search results from the Michigan Department of Treasury Website, which are produced herewith.

Request To Produce #2: Produce by delivery to or inspection and copying by Defendant City all documents relating in any way to your allegation in paragraph 23 of your complaint that *"the facility was not economically sustainable"*. (See your response to Interrogatory 3c).

RESPONSE:

Wacker Neuson produces herewith an income statement trend from 2013 –and signed audited financials from 2016 – 2018.

Request To Produce #3: Produce by delivery to or inspection and copying by Defendant City all documents relating in any way to your application(s) for an *"Industrial Facilities Tax ("IFT") exemption certificate (Certificate #2008-038, the "Certificate")* as referenced in paragraphs 10-12 of your complaint (ECF No. 1) dated January 10, 2019. (See your response to Interrogatory 4c).

RESPONSE:

Wacker Neuson objects to this request to the extent that the requested documents are already in Defendant's possession. Subject to and without waiving the foregoing objection, Wacker Neuson states that it is not aware of any responsive documents in its possession, custody, or control after conducting a reasonable search.

Request To Produce #4: Produce by delivery to or inspection and copying by Defendant City each "Agreement" you entered into with Defendant City as more particularly referenced in paragraphs 12-19 of your complaint (ECF No. 1) dated January 10, 2019. (See your response to Interrogatory 5d).

RESPONSE:

Wacker Neuson objects to this request to the extent that the requested documents are already in Defendant's possession. Subject to and without waiving the foregoing objection, Wacker Neuson states that responsive documents, if any, will be made available for inspection and copying at a mutually convenient time and place.

Request To Produce #5: Produce by delivery to or inspection and copying by Defendant City a copy of each *"Industrial Facilities Tax (IFT) exemption certificate (Certificate #2008-038, the "Certificate)"* issued to you, as referenced in paragraphs 10-12 of your complaint (ECF No. 1) dated January 10, 2019. (See your responses to Interrogatory 7a. & b).

RESPONSE:

Wacker Neuson objects to this request to the extent that the requested documents are already in Defendant's possession. Subject to and without waiving the foregoing objection, Wacker Neuson states that responsive documents, if any, will be made available for inspection and copying at a mutually convenient time and place.

Request To Produce #6: Produce by delivery to or inspection and copying by Defendant City a copy of each of your complete corporate income tax returns with all supporting schedules, attachments, and other supporting documentation including electronically stored data of such data for tax years 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018.

RESPONSE:

Wacker Neuson objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

VARNUM LLP

Attorneys for Plaintiff/Counter-Defendant

Dated: September 4, 2019

By:


Adam J. Brody (P62035)
Jeffrey D. Koelzer (P78602)

BUSINESS ADDRESS & TELEPHONE:

Bridgewater Place
P.O. Box 352
Grand Rapids, MI 49501-0352
(616) 336-6000
ajbrody@varnumlaw.com
jdkoelzer@varnumlaw.com

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PUM PUM
#.12 2016

Annual Income Statement for Auditors LC

**WACKER
NEUSON**
Key Date 1/19/2017
Current User MKESCHNC

	Year to Date	
	Current Year 01/2/2016	Prior Year 01/2/2015
	USD	USD
Revenue	172,091,804	234,950,186
Cost of Sales	-152,577,188	-204,727,758
Gross Profit	19,514,636	30,222,427
Sales and Service Expenses	-4,568,346	-4,920,525
Research and Development Expenses	-8,803,000	-10,591,013
General Administrative Expenses	-8,861,574	-9,875,520
Other Income	1,609,441	1,302,030
Other Expenses	-1,403,063	39,172
Profit before Interest and Taxes	-2,512,005	6,176,571
Financial Result	-838,978	-856,404
Profit before Tax	-3,350,983	5,320,167
Taxes on Income		
Profit before Minority Interest	-3,350,983	5,320,167
Minority Interest		
Profit for the Period	-3,350,983	5,320,167

Keith Herr

VP & Managing Director of Manufacturing & Engineering PUM/PUN

WN0011

PUM PUM
12 2016

Annual Balance Sheet for Auditors LC

**WACKER
NEUSON**Key Date 1/19/2017
Current User MKESCHNC

Assets

	Current 01/2/2016	Year End Prior Year 2015
Property, Plant and Equipment	37,010,389	39,429,650
Investment Property		
Goodwill	10,455,286	10,455,286
Intangible Assets	15,771,135	16,129,532
Investments		
Deferred Tax Assets		
Other Non-Current Financial Assets		
Total Non-Current Assets	63,236,811	66,014,468
Inventories	43,918,131	44,454,658
Trade Receivables	209,000	
Trade Receivables IC	7,188,822	4,502,977
Marketable Securities		
Current Tax Receivables		
Other Current Financial Assets	466,478	23,602
Total Current Assets	1,456,844	1,475,154
Cash and Cash Equivalents	-8,388	-26,632
Assets Held for Sale		
Total Current Assets	53,228,887	50,429,959
Total Assets	116,465,698	116,444,428

Keith Herr
VP & Managing Director of Manufacturing & Engineering PUM/PUN

Equity and Liabilities

	Current 01/2/2016	Year End Prior Year 2015
Share Capital	60,238,776	60,238,776
Other Reserves	0	0
Treasury Shares		
Retained Earnings	12,234,441	17,846,824
Equity Before Minority Interest	72,473,217	78,085,401
Minority Interest		
Total Equity	72,473,217	78,085,401
Long-Term Borrowings		
Deferred Taxes Liabilities		
Long-Term Provisions	20,000	25,600
Total Non-Current Liabilities	20,000	25,600
Trade Payables	10,529,438	7,899,369
Trade Payables IC	794,589	3,068,421
Short-Term Borrowings	0	0
Short-Term Borrowings IC	17,500,000	10,000,000
Curr. Portion of LT Borrowings		
Curr. Portion of LT Borrowings IC		
Short-Term Provisions	270,959	0
Current Tax Payable		
Other Financial Liabilities	11,322,755	14,490,947
Other Liabilities	3,554,739	2,896,870
Total Current Liabilities	43,972,481	38,333,427
Total Equity and Liabilities	116,465,698	116,444,428


**WACKER
NEUSON**

Wacker Neuson Production Americas, LLC Statement of Changes in Equity			
Currency: (USD)	Attributable to Equity Holders of the Parent		
	Share Capital	Retained Earnings	Total Equity
Balance at 31 December 2014	\$ 60,238,776	\$ 22,799,757	\$ 83,038,533
Dividends	-	(10,273,300)	(10,273,300)
Profit	-	5,320,167	5,320,167
Balance at 31 December 2015	\$ 60,238,776	\$ 17,846,624	\$ 78,085,401
Balance at 31 December 2015	\$ 60,238,776	\$ 17,846,624	\$ 78,085,401
Dividends	-	(2,261,200)	(2,261,200)
Profit	-	(3,350,983)	(3,350,983)
Balance at 31 December 2016	\$ 60,238,776	\$ 12,234,441	\$ 72,473,217

Keith Herr
VP & Managing Director of Manufacturing & Engineering PUM/PUN



PUM PUM
#.12 2017

Annual Income Statement for Auditors LC

	Year to Date	
	Current Year 01/2/2017	Prior Year 01/2/2016
	USD	USD
Revenue	210,415,382	172,091,804
Cost of Sales	-189,180,192	-152,648,363
Gross Profit	21,235,190	19,443,421
Sales and Service Expenses	-4,598,181	-4,568,346
Research and Development Expenses	-7,823,350	-8,803,000
General Administrative Expenses	-9,028,589	-8,861,674
Other Income	2,997,377	1,524,733
Other Expenses	-406,395	-1,403,063
Profit before Interest and Taxes	2,375,052	-2,667,928
Financial Result	-1,290,328	-683,055
Profit before Tax	1,084,724	-3,350,983
Taxes on Income		
Profit before Minority Interest	1,084,724	-3,350,983
Minority Interest		
Profit for the Period	1,084,724	-3,350,983

Keith Herr

Keith Herr
VP & Managing Director of Manufacturing & Engineering PUM/PUN

WACKER
NEUSON
WN0014
Key Date 02/15/2018
Current User MKEWALCK

PUM PUM
12 2017

Annual Balance Sheet for Auditors LC

**WACKER
NEUSON**

WN0015

Key Date 2/15/2018
Current User MKEWALCK

Assets

	Current 01/2017	Year End Prior Year 2016
	USD	USD
Property, Plant and Equipment	27,738,702	37,010,389
Investment Property		
Goodwill	10,455,286	10,455,286
Intangible Assets	13,848,177	15,771,135
Investments		
Deferred Tax Assets		
Other Non-Current Financial Assets		
Other Non-Current Assets	0	
Total Non-Current Assets	52,042,168	63,236,811
Inventories	42,859,191	43,916,131
Trade Receivables	259,834	209,000
Trade Receivables IC	10,404,716	7,188,822
Marketable Securities		
Current Tax Receivables		
Other Current Financial Assets	5,824,186	466,478
Other Current Assets	836,084	1,456,844
Cash and Cash Equivalents	-2,185	-8,388
Assets Held for Sale	6,656,876	
Total Current Assets	66,828,713	53,228,887
Total Assets	118,980,879	116,465,698

Keith Herr

VP & Managing Director of Manufacturing & Engineering PUM/PUM

Equity and Liabilities

	Current 01/2017	Year End Prior Year 2016
	USD	USD
Share Capital	60,238,776	60,238,776
Other Reserves		
Treasury Shares		
Retained Earnings	13,319,164	12,234,441
Equity Before Minority Interest	73,557,941	72,473,217
Minority Interest		
Total Equity	73,557,941	72,473,217
Long-Term Borrowings		
Deferred Taxes Liabilities		
Long-Term Provisions	120,000	20,000
Total Non-Current Liabilities	120,000	20,000
Trade Payables	15,880,701	10,529,438
Trade Payables IC	1,686,040	794,389
Short-Term Borrowings		
Short-Term Borrowings IC	20,000,000	17,500,000
Curr. Portion of LT Borrowings		
Curr. Portion of LT Borrowings IC		
Short-Term Provisions	1,847,618	270,959
Current Tax Payable		
Other Financial Liabilities	1,892,123	11,322,755
Other Liabilities	4,096,457	3,554,738
Total Current Liabilities	45,302,938	43,972,481
Total Equity and Liabilities	118,980,879	116,465,698


**WACKER
NEUSON**

Wacker Neuson Production Americas, LLC Statement of Changes in Equity			
Currency: (USD)	Attributable to Equity Holders of the Parent		Total Equity
	Share Capital	Retained Earnings	
Balance at 31 December 2015	\$ 60,238,776	\$ 17,846,624	\$ 78,085,401
Dividends	\$ -	\$ (2,261,200)	\$ (2,261,200)
Profit	\$ -	\$ (3,350,983)	\$ (3,350,983)
Balance at 31 December 2016	\$ 60,238,776	\$ 12,234,441	\$ 72,473,217
Balance at 31 December 2016	\$ 60,238,776	\$ 12,234,441	\$ 72,473,217
Dividends	\$ -	\$ -	\$ -
Profit	\$ -	\$ 1,084,724	\$ 1,084,724
Balance at 31 December 2017	\$ 60,238,776	\$ 13,319,164	\$ 73,557,941

Keith Herr
VP & Managing Director of Manufacturing & Engineering PUM/PUN

December 2018


Ryan Gile
Chief Operating Officer - North America

Chief Operating Officer - North America

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Balance Sheet in LC

PUM - Wacker Neuson Production Americas LLC

December 2018

	Year to Date			Year End Prior Year			Var to Year End Prior Year in %
	Current 01/2/2018 YTD	In %	Prior Year 01/2/2017 YTD	In %	Year End Year Year 2017	In %	
Property, Plant and Equipment	USD 28,988,794	21.2	USD 27,738,702	23.3	USD 27,738,702	23.3	USD 990,092 3.5
Investment Property							
Goodwill	10,455,288	7.7	10,455,288	8.8	10,455,288	8.8	0 0.0
Intangible Assets	14,328,408	10.6	13,848,177	11.6	13,848,177	11.6	478,229 3.5
Investments							
Deferred Tax Assets							
Other Non-Current Financial Assets							
Other Non-Current Assets							
Total Non-Current Assets	63,480,487	39.6	62,042,166	43.7	62,042,166	43.7	1,438,321 2.8
Rental Equipment							
Inventories	57,807,841	42.8	42,859,181	38.0	42,859,181	38.0	14,948,750 34.9
Trade Receivables	286,350	0.2	239,834	0.2	239,834	0.2	26,516 10.2
Trade Receivables IC	9,312,725	6.9	10,404,716	8.7	10,404,716	8.7	-1,091,992 -10.5
Marketable Securities							
Current Tax Receivables							
Other Current Financial Assets	13,768,391	10.2	5,924,186	5.0	5,924,186	5.0	7,874,195 132.9
Other Current Assets	444,112	0.3	836,084	0.7	836,084	0.7	-391,972 -46.9
Cash and Cash Equivalents	7	0.0	-2,185	0.0	-2,185	0.0	2,192 100.3
Assets Held for Sale	0	0.0	8,656,876	5.8	8,656,876	5.8	-8,656,876 -100.0
Total Current Assets	81,649,528	60.4	69,939,713	59.3	69,939,713	59.3	11,710,813 16.8
Total Assets	135,130,013	100.0	111,980,879	100.0	111,980,879	100.0	23,149,134 20.7
Share Capital	60,238,778	44.6	60,238,778	50.8	60,238,778	50.8	0 0.0
Other Reserves	0	0.0	0	0.0	0	0.0	0 0.0
Treasury Shares							
Retained Earnings	6,596,282	4.9	13,319,164	11.2	13,319,164	11.2	-6,722,873 -50.5
Equity Before Minority Interest	66,835,060	49.5	73,557,941	61.8	73,557,941	61.8	-6,722,873 -9.1
Minority Interest							
Total Equity	66,835,060	49.5	73,557,941	61.8	73,557,941	61.8	-6,722,873 -9.1
Long-Term Borrowings							
Deferred Taxes Liabilities							
Long-Term Provisions	20,116	0.0	120,000	0.1	120,000	0.1	-99,884 -83.2
Total Non Current Liabilities	20,116	0.0	120,000	0.1	120,000	0.1	-99,884 -83.2
Trade Payables	29,143,098	21.6	15,800,701	13.3	15,800,701	13.3	13,342,394 84.4
Trade Payables IC	12,270,718	9.1	1,866,040	1.4	1,866,040	1.4	10,804,678 836.3
Short-Term Borrowings	0	0.0	0	0.0	0	0.0	0 0.0
Short-Term Borrowings IC	20,000,000	14.8	20,000,000	16.8	20,000,000	16.8	0 0.0
Cur. Portion of LT Borrowings							
Cur. Portion of LT Borrowings IC							
Short-Term Provisions	1,040,601	0.8	1,847,818	1.8	1,847,818	1.8	-807,217 -43.7
Current Tax Payable							
Other Financial Liabilities	2,703,782	2.0	1,862,123	1.6	1,862,123	1.6	811,659 42.9
Other Liabilities	3,116,622	2.3	4,088,457	3.4	4,088,457	3.4	-979,835 -23.9
Total Current Liabilities	68,274,829	60.8	45,302,538	38.1	45,302,538	38.1	22,971,890 50.7
Total Equity and Liabilities	135,130,013	100.0	111,980,879	100.0	111,980,879	100.0	23,149,134 20.7

Ryan Gile
Ryan Gile
Chief Operating Officer - North America

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Statement of Changes in Equity PUM - Wacker Neuson Production Americas LLC				
Currency: (USD)	Attributable to Equity Holders of the Parent			Total Equity
	Share Capital	Retained Earnings		
Balance at 31 December 2016	\$ 60,238,776	\$ 12,234,441	\$ 72,473,217	
Dividends	\$ -	\$ -	\$ -	
Profit	\$ -	\$ 1,084,724	\$ 1,084,724	
Balance at 31 December 2017	\$ 60,238,776	\$ 13,319,164	\$ 73,557,941	
Balance at 31 December 2017	\$ 60,238,776	\$ 13,319,164	\$ 73,557,941	
Dividends	\$ -	\$ -	\$ -	
Profit	\$ -	\$ (6,722,873)	\$ (6,722,873)	
Balance at 31 December 2018	\$ 60,238,776	\$ 6,596,292	\$ 66,835,068	

R. G. G.

Ryan Gile
Chief Operating Officer - North America

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Wacker Neuson Production Americas LLC
INCOME STATEMENT
PUM US11

	YEAR TO DATE			
	2013	2014	2015	2016
Revenue	225,149	255,523	234,950	172,082
Cost of Sales	(195,243)	(217,050)	(204,728)	(152,577)
Gross Profit	29,905	38,473	30,222	19,515
Gross Profit % of Revenue	13.3%	15.1%	12.9%	11.3%
Expenses:				
Selling & Service	(3,249)	(4,806)	(4,921)	(4,568)
Research and Development	(7,166)	(9,677)	(10,591)	(8,803)
General and Administrative	(13,169)	(11,176)	(9,876)	(8,882)
SG&A Total	(23,584)	(25,660)	(25,367)	(22,233)
SGA % of Revenue	10.5%	10.0%	10.8%	12.9%
Operating Profit	6,322	12,813	4,835	(2,718)
Operating Profit as % of Revenue	2.8%	5.0%	2.1%	-1.6%
Other Income	2,172	2,375	1,302	1,809
Other Expenses	(2,289)	(163)	39	(1,403)
Other I/E Total	(117)	2,212	1,341	206
EBIT	6,205	15,025	6,177	(2,512)
EBIT % of Revenue	2.8%	5.9%	2.6%	-1.5%
Financial Results	(766)	(518)	(856)	(839)
EBT	5,439	14,507	5,320	(3,351)
				1,085
				(6,723)

U S Dollars (in 000)

Revenue

Cost of Sales

Gross Profit

Gross Profit % of Revenue

Expenses:

Selling & Service

Research and Development

General and Administrative

SG&A Total

SGA % of Revenue

Operating Profit

Operating Profit as % of Revenue

Other Income

Other Expenses

Other I/E Total

EBIT

EBIT % of Revenue

Financial Results

EBT